

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MYRON LAVELL BANNERMAN,

Plaintiff,

v.

Case No. 12-12418

COMMISSIONER OF SOCIAL
SECURITY,

HON. TERRENCE G. BERG
HON. MARK A. RANDON

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION (DKT. 18)

This matter is before the Court on Magistrate Judge Mark A. Randon's May 24, 2013 Report and Recommendation (Dkt. 18), recommending that Plaintiff's motion for summary judgment be GRANTED, that Defendant's motion for summary judgment be DENIED, and that the case be REMANDED to the Commissioner for further proceedings.

The Court has reviewed the Magistrate Judge's Report and Recommendation. The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendations. 28 U.S.C. § 636(b)(1). The district court will make a "*de novo* determination of those portions of the report . . . to which objection is made." *Id.* Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). The Court will,

therefore, accept the Magistrate's Report and Recommendation of May 24, 2013, as this Court's findings of fact and conclusions of law.

Accordingly, it is hereby **ORDERED** that Magistrate Judge Randon's Report and Recommendation of May 15, 2013, (Dkt.21) is **ACCEPTED** and **ADOPTED**. It is **FURTHER ORDERED** that Plaintiff's motion for summary judgment (Dkt. 11) is **GRANTED**, Defendant's motion for summary judgment (Dkt. 16) is **DENIED**, and the case is **REMANDED** to the Commissioner for further proceedings, consistent with the discussion contained in Magistrate Judge Randon's Report and Recommendation.

SO ORDERED.

Dated: June 28, 2013

s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that this Order was electronically submitted on June 28, 2013, using the CM/ECF system, which will send notification to all parties.

s/A. Chubb
Case Manager